vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.20 OF 2006
IN
FIRST APPEAL NO.1181 OF 1998

Shri Manoharlal Gurudayal Dembla ... Applicant

V/s.

Smt.Annubai Manglaya Patil ... Respondent

Mr.M.S. D'mello for Applicant
Mr.J.V. Dubey for Respondent Nos.3 to 6

CORAM: **S.B. MHASE &**
SMT.NISHITA MHATRE, JJ.

DATED: **FEBRUARY 20, 2007**

P.C.:

. This is an application for setting aside the order passed by this Court on 25.11.2005 dismissing the Appeal for default. The respondents oppose the application for restoration. However, on perusal of the application and the affidavit, we find that there was sufficient cause for not remaining present by the Counsel for the Applicant. Therefore, in the interest of justice, the order dated 25.11.2005 dismissing the appeal for default is hereby set aside. The appeal is restored.

2. Civil Application is disposed off accordingly.

(NISHITA MHATRE, J.) (S.B. MHASE, J.)